

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

THE UNITED STATES OF AMERICA

v.

Hon. Hugh B. Scott
00CR0189

**Report
&
Recommendation**

JAMES CHARLES KOPP,

Defendant.

Before the Court is the defendant's motion for reconsideration (Docket No. 151) of the Court's Report & Recommendation (Docket No. 145) advising the denial of the plaintiff's motion to suppress statements made by the defendant. The defendant presents no new legal authority or factual arguments relating to the issues addressed in the Court's Report & Recommendation. Instead, the defendant "amends" his motion to suppress to include, in addition to statements the defendant made to the media, any statements the defendant made during the course of the state court trial in which he was represented by Bruce Barket, Esq. (Docket No. 151 at ¶ 6).

The defendant does not dispute that he waived any potential conflict relating to Barket's representation in the state court proceeding. Further, the defendant has not articulated any basis

to conclude that any statements he made during the state court proceedings were involuntary.

Based on the above, the motion for reconsideration is denied.

So Ordered.

s/Hon. Hugh B. Scott
United States Magistrate Judge

Buffalo, New York
June 29, 2005